

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD E. WILMSHURST,

Plaintiff,

CIV-S-04-0988 DFL-KJM

V.

ORDER

BILL LOCKYER, Attorney General,
STATE OF CALIFORNIA; SUPERIOR
COURT OF CALIFORNIA, COUNTY OF
CALAVERAS

Defendants.

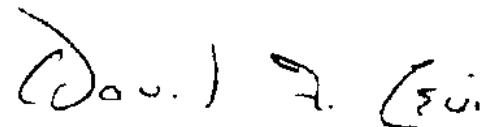
On July 12, 2005, plaintiff Richard Wilmshurst, proceeding pro se, filed a motion for a temporary restraining order ("TRO") against defendant Bill Lockyer, the attorney general of California, in which he seeks to prohibit Lockyer and his agents from coming within 150 feet of him. Plaintiff alleges that he was wrongfully assaulted and arrested by agents of the California Attorney General's Office while attending a speech given by Lockyer on June 29, 2005. (Mot. at 3-4.) The TRO is necessary, plaintiff contends, to protect him from future harm and to protect the jurisdiction of the court over this case. (Id. at 4-

1 5.)

2 The court finds plaintiff's arguments insufficient to
3 justify the issuance of a TRO because he fails to articulate a
4 substantial likelihood of imminent, irreparable harm. Plaintiff
5 seeks a TRO request preventing Lockyer or his agents from coming
6 within 150 feet of him, yet plaintiff's submitted evidence shows
7 that it was he who sought out Lockyer, not the other way around.
8 Even accepting plaintiff's allegations as true, his evidence does
9 not show that he faces a real and imminent threat of future harm.
10 Accordingly, plaintiff's TRO request is DENIED.

11
12 IT IS SO ORDERED.

13 Dated: 7/13/2005

15
16 
17

17 DAVID F. LEVI
18 United States District Judge
19
20
21
22
23
24
25
26